

## **APPENDIX A**



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APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO	CONFIRMATION NO
09/986,452	11/08/2001	Yehuda Hershkovits	P-3864-US	5080
27130	7590	09/26/2005	EXAMINER	
EITAN, PEARL, LATZER & COHEN ZEDEK LLP			SWERDLOW, DANIEL	
10 ROCKEFELLER PLAZA, SUITE 1001			ART UNIT	PAPER NUMBER
NEW YORK, NY 10020			2646	

28 SEP 2005

Pearl Cohen Zedek LLP DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED  
 - 9 - 10 - 2005  
 EITAN LAW GROUP

PTO 006 (2-1-2005)

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

09/986,452

Examiner

Daniel Swerdlow

Applicant(s)

HERSHKOVITS ET AL.

Art Unit

2646

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 14 July 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) required.

**THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:**☐ 1. Amendments to the specification:

- ☐ A. Amended paragraph(s) do not include markings.  
☐ B. New paragraph(s) should not be underlined.  
☐ C. Other \_\_\_\_\_.

☐ 2. Abstract:

- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.  
☐ B. Other \_\_\_\_\_.

☐ 3. Amendments to the drawings:

- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).  
☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.  
☐ C. Other \_\_\_\_\_.

☒ 4. Amendments to the claims:

- ☒ A. A complete listing of all of the claims is not present.  
☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)  
☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).  
☐ D. The claims of this amendment paper have not been presented in ascending numerical order.  
☒ E. Other: The listing of claims does not commence on a separate page. Each section of an amendment

document must begin on a separate sheet.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website: <http://www.uspto.gov/web/offices/pac/dapp/opla/propnotice/officeflyer.pdf>.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment must be resubmitted** within the time period set forth in the final Office action.
2. Applicant is given **one month, or thirty (30) days, whichever is longer**, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or  
**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.



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